

III. REMARKS

Claims 1-5, 8-13, and 16 are not unpatentable under 35 U.S.C. 102(b) as being anticipated by Dent.

The independent claim 1 has been amended to recite "for the transmission of the encryption key a broadcast control channel control field is selected which is not used as a general broadcast control channel control field". This is supported by page 15, lines 14-17. The remaining independent claims have similar limitations. This feature has the advantage of avoiding unnecessary receiving operations and avoiding increased power consumption in other mobile terminals (see page 15, lines 17-19).

Dent discloses in the cited column 6, lines 15-30, that key synchronization information is sent over a high data rate control channel in connection with handover. What is disclosed in that passage is that uncryptographically encoded synchronization information is transmitted in response to a handoff command. Since the claimed feature is not disclosed in Dent, the rejection of claims 1-5, and 8-13, and 16 under U.S.C. 102 on Dent should be withdrawn.

Further, since there is not the slightest suggestion of this feature in Dent with the advantages discussed above, these claims are unobvious over it.

Claims 6 and 14 are not unpatentable under 35 U.S.C. 103(a) over Dent in view of Kojima.

Since the claimed feature is not in Kojima, which merely discloses that the mobile station can request handoff to both the old and the new base station, combining it with Dent does not result in the present invention. Thus the rejection of claims 6 and 14 under 35 U.S.C. 103 on Dent in view of Kojima should be withdrawn.

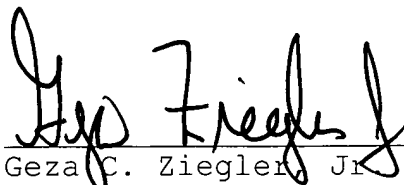
Claims 7 and 15 are not unpatentable under 35 U.S.C. 103(a) over Dent in view of Gilhousen.

Gilhousen teaches that the mobile station can detect the need for handover and find the cell with the strongest signal. Therefore, the mobile station can request handoff to that cell. Gilhousen also fails to disclose the claimed feature. Thus, combining it with Dent does not result in the present invention. Thus the rejection of claims 7 and 15 under 35 U.S.C. 103 on Dent in view of Gilhousen should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of 1,220.00 is enclosed for a three-month extension of time and the additional independent claim fee. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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12 MAY 2006

Date

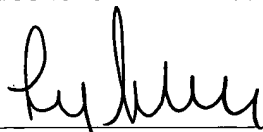
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